



CLEARING PERMIT

Granted under section 51E of the Environmental Protection Act 1986

Purpose Permit number:	CPS 7286/1
Permit Holder:	Shire of Pingelly
Duration of Permit:	29 July 2017 – 29 July 2022

The Permit Holder is authorised to clear native vegetation subject to the following conditions of this Permit.

PART I – CLEARING AUTHORISED

1. Purpose for which clearing may be done

Clearing for the purpose of road construction.

2. Land on which clearing is to be done

Shaddick Road Reserve - 11659852, East Pingelly
Shaddick Road Reserve - 11674768, East Pingelly

3. Area of Clearing

The Permit Holder must not clear more than 0.6 hectares of native vegetation and 13 native trees within the combined area cross hatched yellow on attached Plan 7286/1a and Plan 7286/1b.

4. Application

This Permit allows the Permit Holder to authorise persons, including employees, contractors and agents of the Permit Holder, to clear native vegetation for the purposes of this Permit subject to compliance with the conditions of this Permit and approval from the Permit Holder.

5. Type of clearing authorised


This Permit authorises the Permit Holder to clear native vegetation for the activities described in condition 1 of this Permit to the extent that the Permit Holder has the power to carry out works involving clearing for those activities under the *Local Government Act 1995* or any other written law.

PART II – MANAGEMENT CONDITIONS

6. Avoid, minimise etc clearing

In determining the amount of native vegetation to be cleared authorised under this Permit, the Permit Holder must have regard to the following principles, set out in order of preference:

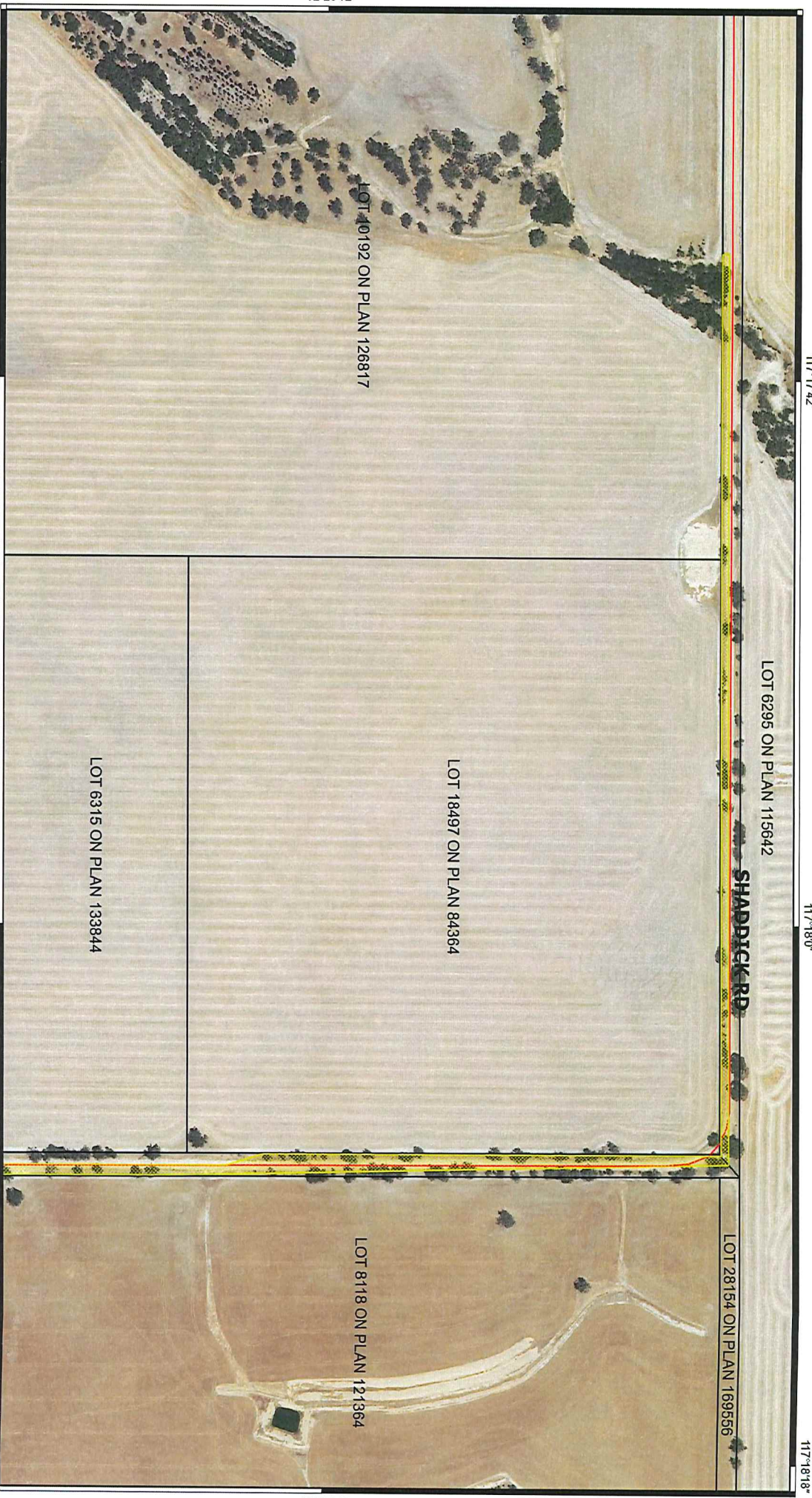
- avoid the clearing of native vegetation;
- minimise the amount of native vegetation to be cleared; and
- reduce the impact of clearing on any environmental value.


Mathew Gannaway
MANAGER
CLEARING REGULATION

*Officer delegated under Section 20
of the Environmental Protection Act 1986*

29 June 2017

Plan 7286/1a



- Legend**
- Areas approved to clear
 - Cadastre
 - Roads
 - Virtual Mosaic (LGATE-V001)



MGA 94
Geocentric Datum of Australia 1994
1:3,500

Matthew Gemenew
Date: 20/10/17

Officer with delegated authority under Section 20
of the Environmental Protection Act 1986



-32°28'12"

-32°28'12"

Plan 7286/1b



Legend

-  Areas approved to clear
 -  Roads
 -  Cadastre
- Virtual Mosaic (LGATE-V001)



1:2,500
MGA 94
Geocentric Datum of Australia 1994

 Date 29/6/17

Officer with delegated authority under Section 20
of the Environmental Protection Act 1986



GOVERNMENT OF
WESTERN AUSTRALIA



1. Application details

1.1. Permit application details

Permit application No.: 7286/1
Permit type: Purpose Permit

1.2. Applicant details

Applicant's name: Shire of Pingelly

1.3. Property details

Property: Shaddick Road Reserve (PINs 11674768 and 11659852), East Pingelly
Local Government Authority: Pingelly, Shire of
DPaW District: Great Southern
Localities: East Pingelly

1.4. Application

Clearing Area (ha)	No. Trees	Method of Clearing	For the purpose of:
0.6	13	Mechanical Removal	Road construction or upgrades

1.5. Decision on application

Decision on Permit Application: Granted
Decision Date: 29 June 2017
Reasons for Decision: This application was received on 13 September 2016.

The clearing application has been assessed against the clearing principles, planning instruments and other matters in accordance with section 51O of the *Environmental Protection Act 1986*, and it has been concluded that the proposed clearing is at variance to Principle (f) and is not likely to be at variance to the remaining clearing Principles. Impacts to riparian vegetation are however, not likely to be significant.

The Delegated Officer determined that the proposed clearing is not likely to have any significant environmental impacts.

2. Site Information

2.1. Existing environment and information

2.1.1. Description of the native vegetation under application

Vegetation Description

The application area is mapped as Beard vegetation association 1023 which is described as medium woodland, *Eucalyptus loxophleba* (York gum), *Eucalyptus wandoo* (wandoo) and *Eucalyptus salmonophloia* (salmon gum) (Shepherd et al., 2001).

A site inspection conducted by officers of the Department of Environment Regulation (DER) (DER site inspection) described the vegetation within the application area as an open wandoo woodland with little to no native understorey (DER, 2017).

Clearing Description

The clearing of 0.6 hectares of native vegetation and 13 native trees within Shaddick Road reserve (PINs 11659852 and 11674768), East Pingelly, for the purpose of road widening and realignment.

Vegetation Condition

Completely Degraded: Structure severely disturbed; regeneration to good condition requires intensive management (Keighery, 1994).

The condition of the vegetation within the application area was determined from the DER site inspection.

3. Assessment of application against clearing principles

(a) Native vegetation should not be cleared if it comprises a high level of biological diversity.

Comments Proposed clearing is not likely to be at variance to this Principle

The application is to clear 0.6 hectares of native vegetation and 13 native trees within Shaddick Road reserve (PINs 11659852 and 11674768), East Pingelly, for the purpose of road widening and realignment. The vegetation within the application area is described as an open wandoo woodland in a completely degraded (Keighery, 1994) condition, with little to no native understorey (DER, 2017).

The local area considered in the assessment of this application is defined as a 10 kilometre radius measured from the perimeter of the application area. A large portion of the local area is contained within Tutanning Nature Reserve, located approximately 4.5 kilometres south of the application area. Outside of this reserve, the local area is extensively cleared with approximately 9.4 per cent native vegetation remaining.

According to available databases, 28 species of priority flora have been recorded within the local area. Noting the condition of the vegetation, the application area is not likely to include or be necessary for the maintenance of priority flora.

As assessed under Principle (b), the applicant has reduced the application area to remove significant fauna habitat and restrict clearing to one side of the road reserve. Given this, although it falls within an extensively cleared landscape, the proposed clearing is not likely to contain or impact on significant habitat for indigenous fauna.

According to available databases, no priority ecological communities occur within the local area.

As assessed under Principle (d), the application area may contain suitable habitat for the threatened ecological community (TEC) 'Eucalypt woodlands of the Western Australian Wheatbelt', however noting the condition of the vegetation, the application area does not meet the condition thresholds required to be representative of this TEC.

As assessed under Principle (c), the application area may have contained suitable habitat for two of the rare flora species recorded within the local area, one of which was previously recorded within the application area. Noting the condition of the vegetation and as a site inspection did not identify the species (the recorded location contained no native vegetation), the application area is not likely to include or be necessary for the maintenance of rare flora.

Given the above, the proposed clearing is not likely to be at variance to this Principle.

Methodology

References:

- DER (2017)
- Keighery (1994)

GIS Database:

- SAC Bio datasets - accessed January 2017

(b) Native vegetation should not be cleared if it comprises the whole or a part of, or is necessary for the maintenance of, a significant habitat for fauna indigenous to Western Australia.

Comments

Proposed clearing is not likely to be at variance to this Principle

The DER site inspection found trees containing hollows and trees of an age and size suitable as habitat for indigenous fauna throughout the road reserve. One small tree hollow showed signs of use (DER, 2017). In order to reduce impacts to potential fauna habitat, the applicant has restricted clearing to one side of the road and in doing so, ensured that a majority of the recorded hollow bearing trees are retained. The tree hollow showing signs of use has been removed from the application area.

According to available databases, seven threatened fauna, a fauna protected under international agreement and three priority fauna have been recorded within the local area (10 kilometre radius) (Department of Parks and Wildlife [Parks and Wildlife], 2007-). Of these, the application area is likely to contain habitat for threatened fauna Carnaby's cockatoo (*Calyptrorhynchus latirostris*) and red-tailed phascogale (*Phascogale calura*).

Carnaby's cockatoo is listed as endangered under the Commonwealth *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act). Black cockatoos breed in large hollow-bearing trees, generally within woodlands or forests or in isolated trees (Commonwealth of Australia, 2012). This species nest in hollows in live or dead trees of wandoo, salmon gum, York gum, *Eucalyptus gomphocephala* (tuart), *Eucalyptus marginata* (jarrah), *Corymbia calophylla* (marri), *Eucalyptus diversicolor* (karri), *Eucalyptus rudis* (flooded gum), *Eucalyptus accedens* (powder bark), *Eucalyptus megacarpa* (bullich) and *Eucalyptus patens* (blackbutt) (Commonwealth of Australia, 2012). Black cockatoos have a preference for foraging habitat that includes jarrah and marri woodlands and forest heathland and woodland dominated by proteaceous plant species such as *Banksia* sp., *Hakea* sp. and *Grevillea* sp. (Commonwealth of Australia, 2012).

As the applicant has aligned the proposed clearing to retain a majority of the vegetation within the road reserve, restricting clearing to areas containing little native vegetation, it is not likely to contain significant habitat for Carnaby's cockatoo.

The red-tailed phascogale is listed as endangered under the EPBC Act. This species is now confined to the southern wheatbelt of Western Australia, less than one per cent of its former range. A known population of the species exists within the Tutanning Nature Reserve, located approximately 4.5 kilometres south of the application area. This species prefers old-growth hollow-producing eucalypts, particularly wandoo and York gum, and is known to avoid relatively open areas (Threatened Species Scientific Committee [TSSC], 2016). Given the sparse, dispersed vegetation within the application area and noting the condition of the vegetation, it is not likely to comprise significant habitat for the species.

Noting the extensively cleared local area, any remaining remnants of native vegetation are likely to be significant as fauna habitats and aid the movement of fauna through the landscape. As the proposed clearing and road alignment is contained within predominantly cleared areas along one side of the road reserve, the movement of fauna through the landscape is not likely to be impacted.

Given the above, the proposed clearing is not likely to be at variance to this Principle.

Methodology References:
- Commonwealth of Australia (2012)
- DER (2017)
- Parks and Wildlife (2007-)
- TSSC (2016)
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GIS Database:
- SAC Bio datasets - accessed January 2017

(c) Native vegetation should not be cleared if it includes, or is necessary for the continued existence of, rare flora.

Comments **Proposed clearing is not likely to be at variance to this Principle**
According to available databases, five species of rare flora have been mapped in the local area (10 kilometre radius) (Western Australian Herbarium, 2007-).

Noting the mapped soil and vegetation types, the application area may contain suitable habitat for two of these species, and a record of one of these occurs within the application area. The application area was opportunistically inspected for these species, however no individuals were found (DER, 2017).

The DER site inspection did not find native vegetation within 200 metres of the rare flora record (DER, 2017). This is consistent with the findings of a site inspection undertaken on 27 September 2011 in relation to clearing permit application CPS 4222/1 (Parks and Wildlife, 2017). The application area is not likely to include or be necessary for the continued existence of rare flora.

Given the above, the proposed clearing is not likely to be at variance to this principle.

Methodology References:
- DER (2017)
- Parks and Wildlife (2017)
- Western Australian Herbarium (1997-)

GIS Database:
-SAC Bio datasets accessed January 2017

(d) Native vegetation should not be cleared if it comprises the whole or a part of, or is necessary for the maintenance of a threatened ecological community.

Comments **Proposed clearing is not likely to be at variance to this Principle**
According to available databases, the TEC 'Eucalypt woodlands of the Western Australian Wheatbelt' occurs within the local area (10 kilometre radius). On 4 December 2015, the Commonwealth Department of the Environment and Energy (DotEE) listed this TEC as critically endangered under the EPBC Act.

A majority of the remnant native vegetation within the local area has been mapped as indicative occurrences of this TEC. Noting this, and the mapped soil and vegetation types, the application area may contain suitable habitat for this TEC. However, noting the condition of the vegetation within the application area, it does not meet the condition thresholds required to be representative of the TEC (TSSC, 2015).

Given the above, the proposed clearing is not likely to be at variance to this Principle.

Methodology References:
- TSSC (2015)

GIS Database:
- SAC Bio Datasets accessed January 2017

(e) Native vegetation should not be cleared if it is significant as a remnant of native vegetation in an area that has been extensively cleared.

Comments **Proposed clearing is not likely to be at variance to this Principle**
The national objectives and targets for biodiversity conservation in Australia has a target to prevent clearance of ecological communities with an extent below 30 per cent of that present pre-1750 (pre-European), below which species loss appears to accelerate exponentially at an ecosystem level (Commonwealth of Australia, 2001).

As indicated in Table 1, the remaining extents of native vegetation within the bioregion, local government authority, local area and mapped vegetation type are below the minimum 30 per cent representation threshold. A large portion of the local area is contained within Tutanning Nature Reserve. Outside of this reserve, the local area is extensively cleared with approximately 9.45 per cent (3,504 hectares) native vegetation remaining. Noting this, the application area is located within an extensively cleared area. The proposed clearing of 0.6 hectares of native vegetation and 13 native trees would have a negligible effect on the amount of remnant vegetation

remaining within the local area.

Given the condition of the application area and noting the realignment to avoid the majority of the vegetation within the road reserve, although it falls within a highly cleared landscape, it is not likely to contain significant environmental value.

Given the above, the proposed clearing is not likely to be at variance to this Principle.

Table 1: Vegetation extents

	Pre-European (ha)	Current Extent (ha)	Remaining (ha)	Extent in Parks and Wildlife Managed Lands		
				Extent (ha)	Pre-European (%)	Current (%)
IBRA Bioregion*						
Avon Wheatbelt	9,517,109	1,763,063	18.5	226,989	2.39	9.74
Local Government Authority*						
Shire of Pingelly	129,435.6	22,275	17.2	7,581	5.86	33.5
Beard Vegetation Association in Bioregion*						
1023	1,522,676	165,813	10.89	19,242	1.26	10.2
Local Area						
10 kilometre radius	37,071	5,792	15.6	2,288	6.17	39.5

Methodology References:
 - Commonwealth of Australia (2001)
 - *Government of Western Australia (2015)

GIS Database:
 - Aerial imagery
 - Local Government Authorities
 - Pre-European Vegetation

(f) Native vegetation should not be cleared if it is growing in, or in association with, an environment associated with a watercourse or wetland.

Comments **Proposed clearing is at variance to this Principle**
 A minor non-perennial watercourse is mapped within the application area. The presence of this watercourse was confirmed during the DER site inspection (DER, 2017). Vegetation growing in association with this watercourse is confined to the watercourse itself.

Given the above, the proposed clearing is at variance to this Principle. Noting the minor nature of the watercourse and lack of extensive riparian vegetation, impacts are likely to be minimal.

Methodology References:
 - DER (2017)

GIS Database:
 - Hydrography, linear

(g) Native vegetation should not be cleared if the clearing of the vegetation is likely to cause appreciable land degradation.

Comments **Proposed clearing is not likely to be at variance to this Principle**
 The application area is mapped within the Yealering 3 undifferentiated phase soil unit, described as gently undulating upper to lower slopes adjacent to the Avon River, with sandy duplex soils vegetated by wandoo and some Salmon Gum on the lower slopes (Northcote et al., 1960-68).

Noting the linear shape of the application area and the condition of the vegetation, the proposed clearing is not likely to cause appreciable land degradation.

Given the above, the proposed clearing is not likely to be at variance to this Principle.

Methodology References:
 - Northcote et al. (1960-68)

GIS Database:
 - Soils, Statewide
 - Land degradation hazards

(h) Native vegetation should not be cleared if the clearing of the vegetation is likely to have an impact on the environmental values of any adjacent or nearby conservation area.

Comments Proposed clearing is not likely to be at variance to this Principle

The closest conservation area is the Tutanning Nature Reserve, located approximately 4.5 kilometres south of the application area. Tutanning Nature Reserve accounts for approximately 39.5 per cent of the current extent of native vegetation in the local area (10 kilometre radius).

Given the distance to this reserve, condition of the vegetation and size of the application area, the proposed clearing is unlikely to impact the environmental values of this reserve.

Given the above, the proposed clearing is not likely to be at variance to this Principle.

Methodology GIS Database:
- Parks and Wildlife Tenure

(i) Native vegetation should not be cleared if the clearing of the vegetation is likely to cause deterioration in the quality of surface or underground water.

Comments Proposed clearing is not likely to be at variance to this Principle

One minor non-perennial watercourse is located within the application area however impacts to vegetation growing in association with the watercourse are likely to be minimal. Noting the linear shape of the application area and the condition of the vegetation, the proposed clearing is not likely to cause appreciable land degradation.

Groundwater salinity is mapped between 7,000-35,000 total dissolved solids (milligrams per litres). Noting the extent of the proposed clearing, the proposed clearing is not likely to contribute to an increase in groundwater salinity or cause deterioration in groundwater quality.

The proposed clearing is not likely to cause deterioration in the quality of surface water or underground water.

Given the above, the proposed clearing is not likely to be at variance to this Principle.

Methodology GIS Database:
- Groundwater Salinity, Statewide
- Hydrography, linear
- Land degradation hazards

(j) Native vegetation should not be cleared if clearing the vegetation is likely to cause, or exacerbate, the incidence or intensity of flooding.

Comments Proposed clearing is not likely to be at variance to this Principle

Less than three per cent of the map land unit has a moderate to high flood risk of flooding. Noting this and the mapped soil type, the proposed clearing is not likely to cause or exacerbate the incidence or intensity of flooding.

Given the above, the proposed clearing is not likely to be at variance to this Principle.

Methodology GIS Database:
- Land degradation hazards
- Soils, Statewide

Planning instruments and other relevant matters.

Comments The applicant originally applied to clear 1.6 hectares of native vegetation within the road reserve. On 10 April 2017 the applicant was sent a letter outlining the significant environmental impacts of this clearing. The letter noted that impacts could be minimised and avoided through clearing on one side of the road and avoiding significant foraging habitat. On 19 April 2017 the applicant advised that they intended on clearing on one side of the road. An assessment of the vegetation contained within the revised application area determined that 0.6 hectares of native vegetation and 13 native trees may be impacted.

On 22 June 2017, the applicant agreed on the amended application area of 0.6 hectares and 13 native trees.

The application was advertised in *The West Australian* newspaper on 10 October 2016 with a 21 day submission period. No public submissions have been received in relation to this application.

No Aboriginal Sites of Significance are mapped within the application area.

A previous clearing permit covering the application area as well as four other roads was granted to the Shire of Pingelly on 13 October 2011 (CPS 4455/1). This permit has since expired.

The application area is zoned 'Local road' under the Shire of Pingelly Local Planning scheme No. 3.

4. References

- Commonwealth of Australia (2001) National Objectives and Targets for Biodiversity Conservation 2001-2005, Canberra.
- Commonwealth of Australia (2012) EPBC Act referral guidelines for three threatened black cockatoo species. Department of Sustainability, Environment, Water, Populations and Communities, Canberra.
- Department of Environment Regulation (DER) (2017) Site inspection report for clearing permit application CPS 7286/1. Site inspection undertaken 5 January 2017. DER ref: A1365640.
- Department of Parks and Wildlife (Parks and Wildlife) (2007-) NatureMap: Mapping Western Australia's Biodiversity. Department of Parks and Wildlife. URL: <http://naturemap.dpaw.wa.gov.au/>. Accessed 21 March 2016.
- Department of Parks and Wildlife (2017) Advice received in relation to clearing permit application CPS 7286/1. Received 11 November 2016.
- Government of Western Australia (2015). 2015 Statewide Vegetation Statistics incorporating the CAR Reserve Analysis (Full Report). Current as of June 2015. WA Department of Parks and Wildlife, Perth.
- Keighery, B.J. (1994) Bushland Plant Survey: A Guide to Plant Community Survey for the Community. Wildflower Society of WA (Inc). Nedlands, Western Australia.
- Northcote, K.H. with Beckmann, G.G., Bettenay, E., Churchward, H.M., van Dijk, D.C., Dimmock, G.M., Hubble, G.D., Isbell, R.F., McArthur, W.M., Murtha, G.G., Nicolls, K.D., Paton, T.R., Thompson, C.H., Webb, A.A. and Wright, M.J. (1960-68): 'Atlas of Australian Soils, Sheets 1 to 10, with explanatory data'. CSIRO and Melbourne University Press: Melbourne.
- Shepherd, D.P., Beeston, G.R., and Hopkins, A.J.M. (2001), Native Vegetation in Western Australia. Technical Report 249. Department of Agriculture Western Australia, South Perth.
- Threatened Species Scientific Committee (TSSC) (2015) Approved Conservation Advice (including listing advice) for the Eucalypt Woodlands of the Western Australian Wheatbelt. Department of the Environment. URL: <http://www.environment.gov.au/biodiversity/threatened/communities/pubs/128-conservation-advice.pdf>.
- Threatened Species Scientific Committee (TSSC) (2016). Approved Conservation Advice for Phascogale calura (red-tailed phascogale). Canberra: Department of the Environment and Energy. URL: <http://www.environment.gov.au/biodiversity/threatened/species/pubs/316-conservation-advice-07122016.pdf>.